

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Philip Eric Perry

Docket No. 7:06-CR-95-1M

**Petition for Action on Supervised Release**

COMES NOW Melissa K. Lunsmann, Supervising U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Philip Eric Perry, who, upon an earlier plea of guilty to Receipt of Child Pornography, in violation of 18 U.S.C. § 2252(a)(2) and Possession of Child Pornography, in violation of 18 U.S.C. § 2252(a)(4)(B), was sentenced by the Honorable W. Earl Britt, Senior U.S. District Judge, on October 1, 2007, to the custody of the Bureau of Prisons for a term of 180 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for life.

Philip Eric Perry was released from custody on December 2, 2019, at which time the term of supervised release commenced.

On January 3, 2020, a Petition for Action was approved by the court, in which case specific sex offender conditions were added in lieu of the NCE Sex Offender Program conditions.

On March 3, 2021, a Violation Report was submitted advising the court that the defendant was deceptive during his polygraph examination.

On September 9, 2024, this case was reassigned to Chief U.S. District Judge Richard E. Myers II.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

On August 20, 2024, the defendant was administered a maintenance polygraph examination. The polygraph examiner determined that the defendant was deceptive. During the interview, the defendant disclosed contact with a minor that was not previously approved, his 7-year-old nephew, and that part of the contact occurred in a swimming pool. The defendant asserts that he believed this contact was limited enough that it did not require written authorization from the probation office, based upon his understanding of the conditions of supervision and prior conversations with U.S. Probation Officers. The undersigned officer clarified these conditions and explained to the defendant that any contact with minors must be approved in writing unless that contact is incidental and in a public arena.

The defendant acknowledges that he continues to experience sexual fantasies related to young children, though he denies any unsupervised or inappropriate contact with minors. During a meeting with the defendant on September 5, 2024, he was advised that any prior approval for supervised contact with minors is revoked and future contact will only be considered once he maintains full compliance, including no deception during polygraph examinations.

To facilitate the defendant's success on supervision, it is respectfully recommended that he be restricted from locations where minors frequently congregate. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

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**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall not loiter within 500 feet of any area where minors frequently congregate (e.g., parks, school property, playgrounds, arcades, amusement parks, day-care centers, swimming pools, community recreation fields, zoos, youth centers, video arcades, carnivals, and circuses) without prior written permission from the U.S. Probation Officer.

Except as herein modified, the judgment shall remain in full force and effect.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Melissa K. Lunsman  
Melissa K. Lunsman  
Supervising U.S. Probation Officer  
310 New Bern Avenue, Room 610  
Raleigh, NC 27601-1441  
Phone: (919) 861-8672  
Executed On: September 17, 2024

**ORDER OF THE COURT**

Considered and ordered this 18<sup>th</sup> day of September, 2024, and ordered filed and made a part of the records in the above case.

Richard E. Myers II  
Richard E. Myers II  
Chief United States District Judge